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11 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**  
13

14 In the Matter of the Accusation Against:

Case No.

2011-872

15 **CATHERINE MARY BOWES, AKA**  
16 **CATHERINE MARY PARSON**  
25 Sierra Vista  
17 Novato, CA 94947  
Registered Nurse License No. 296202  
Public Health Nurse License No. 27957

**A C C U S A T I O N**

18 Respondent.  
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20 Complainant alleges:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
23 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
24 Consumer Affairs.

25 2. On or about August 31, 1978, the Board of Registered Nursing issued Registered  
26 Nurse License Number 296202 to Catherine Mary Bowes, aka Catherine Mary Parson  
27 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to  
28 the charges brought in this Accusation and will expire on April 30, 2012, unless renewed.

3. On or about March 7, 1979, the Board of Registered Nursing issued Public Health Nurse License Number 27957 to Catherine Mary Bowes, aka Catherine Mary Parson (Respondent). The Public Health Nurse License was in full force and effect at all times relevant to the charges brought in this Accusation and will expire on April 30, 2012, unless renewed.

#### **JURISDICTION**

4. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

6. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

#### **STATUTORY PROVISIONS**

7. Section 2761 of the Code states, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

...

"(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof."

8. Section 2762 of the Code states, in pertinent part:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

1 ...  
2 "(b) Use any controlled substance as defined in Division 10 (commencing with Section  
3 11000) of the Health and Safety Code, or any dangerous drug or alcoholic beverages, to an extent  
4 or in a manner dangerous or injurious to himself or herself, any other person, or the public.

5 "(c) Be convicted of a criminal offense involving the consumption of any of the  
6 substances described in subdivisions (a) and (b) of this section, in which event the record of the  
7 conviction is conclusive evidence thereof."

8 9. Section 490 of the Code provides, in pertinent part, that a Board may suspend or  
9 revoke a license on the ground that the licensee has been convicted of a crime substantially  
10 related to the qualifications, functions, or duties of the business or profession for which the  
11 license was issued.

#### 12 COST RECOVERY

13 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request  
14 the administrative law judge to direct a licensee found to have committed a violation or  
15 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
16 and enforcement of the case.

#### 17 DRUGS

18 11. "Vicodin" is a Schedule III controlled substance as designated by Health and  
19 Safety Code section 11056 and Title 21, California Code of Federal Regulations, section 1308.13.  
20 It is a dangerous drug as defined by Section 4022 of the Business and Professions Code. It is a  
21 narcotic analgesic combination of Hydrocodone Bitartrate, a narcotic analgesic, and  
22 Acetaminophen, an analgesic. It is used to control moderate to severe pain.

23 12. "Marijuana" is a Schedule I controlled substance as designated by Health and  
24 Safety Code section 11054, subdivision (d) (13). It is dangerous drug as defined by Section 4022  
25 of the Business and Professions Code. It is a hallucinogenic substance.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct/Use of Alcohol)**

3 13. Respondent has subjected her license to disciplinary action under section 2761,  
4 subdivision (a), on the grounds of unprofessional conduct as defined in 2762, subdivision (b), in  
5 that on or about April 6, 2007, she drove a vehicle while under the combined influence of alcohol  
6 and/or Vicodin and/or marijuana, struck a parked vehicle and left the scene without leaving  
7 identifying information. Respondent then drove into a second vehicle. A Novato Police  
8 Department Officer interviewed Respondent and she admitted to driving under the influence and  
9 hitting a car. Respondent also admitted to taking one Vicodin tablet approximately one hour  
10 before driving. The officer observed two prescription bottles containing amounts of marijuana  
11 and a portion of a marijuana cigarette on the driver's side floorboard. Respondent admitted that  
12 the marijuana belonged to her.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Conviction of a Crime)**

15 14. Respondent has subjected her license to disciplinary action under section 2761,  
16 subdivision (f), and 490, in that on January 28, 2008, she was convicted by the court on her plea  
17 of guilty of a violation of Vehicle Code section 23152, subdivision (a) (driving while under the  
18 combined influence of alcohol and a drug) in Marin County Superior Court, Case No. CR  
19 154902A, entitled *People v. Catherine Mary Bowes*. The circumstances of the crime are set forth  
20 in paragraph 11, above.

21 **THIRD CAUSE FOR DISCIPLINE**

22 **(Offense Involving Use of Dangerous Drug/Alcohol)**

23 15. Respondent has subjected her license to disciplinary action under section 2761,  
24 subdivision (a), on the grounds of unprofessional conduct as defined by Code section 2762,  
25 subsection (c), by virtue of the conviction set forth in paragraph 12, above.

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**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

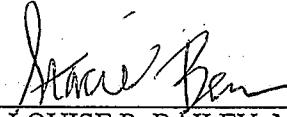
1. Revoking or suspending Registered Nurse License Number 296202, issued to Catherine Mary Bowes, aka Catherine Mary Parson;

2. Revoking or suspending Public Health Nurse License Number 27957, issued to Catherine Mary Bowes, aka Catherine Mary Parson;

3. Ordering Catherine Mary Bowes, aka Catherine Mary Parson to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

4. Taking such other and further action as deemed necessary and proper.

DATED: 4/25/11

*for*   
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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